

## **SUBCHAPTER D : GUIDELINES FOR PREPARATION OF ENVIRONMENTAL IMPACT STUDIES**

These sections are promulgated under the authority of Texas Water Code §§5.103 and 5.105, which authorize the Texas Water Commission to adopt any rules necessary to carry out its powers and duties under the Water Code and other laws of Texas and to establish and approve all general policy of the commission.

### **§261.41. Introduction.**

An impacts statement predicts anticipated changes which are the result of a proposed action, and determines the magnitude and extent of the particular changes through analyses and professional judgement. The statement should demonstrate that a systematic interdisciplinary approach was used in assessing environmental, social and economic impacts, that all reasonable alternatives were considered, and that the assessment was relied upon to support decisions made in planning the project.

### **§261.42. Impact Assessment Process.**

(a) Assessment of the environmental, social and economic impacts of proposed projects should be undertaken concurrently with initial engineering and other technical studies. The impacts assessment process consists of two basic steps. The first step requires description of potential environmental, social and economic changes. The second step requires evaluation of these changes, focusing on significant beneficial and adverse impacts.

(b) Examples of "significant adverse impacts" are those which:

- (1) disrupt historical or archeological sites;
- (2) affect natural, cultural, or scenic resources;
- (3) disrupt established communities or their development plans;
- (4) result in deterioration of air or water quality, or flood protection;
- (5) result in unallowable reduction of identifiable instream uses;
- (6) endanger species of plant and animal life, or their habitat;
- (7) significantly reduce productivity of the bay and estuary systems; or,

(8) contribute to a series of related projects that involve individually minor but collectively significant adverse impacts.

(c) Examples of "significant beneficial impacts" are those which:

- (1) attain a wide range of beneficial uses of the total environment;
- (2) encourage sound economic growth;
- (3) encourage efficient use of natural resources, or recovery or other beneficial uses of waste products;
- (4) encourage a rational balance between population densities and resource availability;
- (5) enhance soil, forest, and coastal zone conservation measures and productivity;
- (6) foster greater economy in the design, construction, operation, use, and maintenance of vital public works; or
- (7) protect or enhance streams, reservoirs, bays, estuaries and wetlands.

**§261.43. Specific Guidelines for the Impacts Statement.**

- (a) The impacts statement should include:
  - (1) a brief, complete and accurate description of the proposed project, including its scope, purpose, and cost (referencing the engineering report plus supplemental data, if any);
  - (2) a description of the environmental setting of the area affected as it exists prior to the proposed action;
  - (3) a description of the relationship of the proposed action to land use plans, policies and controls for the affected area and probable future conditions which would exist in the area with and without the proposed action;
  - (4) an evaluation of the probable environmental, social and economic impacts including positive and negative, primary and direct, secondary and indirect impacts, of the proposed action, and a discussion of the efforts made to eliminate, reduce or mitigate the adverse impacts; and
  - (5) alternatives to the proposed action (referencing the engineering report plus supplemental data, if any).
- (b) An environmental studies assessment prepared using the guidelines cited in subsection (a) of this section should provide sufficient information to answer the following basic questions:
  - (1) What is the scope of the proposed action?
  - (2) What adverse and/or beneficial environmental, social and economic impacts will occur to the affected area should the proposed action be implemented?

(3) What area would be served by the action and what effect would it have on the regional population movement and density?

(4) Have all reasonable alternatives to the proposed action been addressed?

(5) Will the proposed action affect groundwater, streams, reservoirs, other water resources and instream uses of the study area and will it impact the bay and estuarine systems?

(6) Have plans been included to eliminate, reduce, or mitigate expected adverse impacts on the resources in the area of the proposed action?

(7) What effect does the project have on energy and natural resource conservation and development, or on the use of agricultural land?

(8) What are the relationships between short-term uses provided by the proposed action and the long-term productivity of the environment under the no-action alternative?

(9) How would the project fit into long-term regional development plans?